

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. THE PRIOR ART REJECTIONS**

Claims 1-2, 5, 7-8, 10-11, and 16-18 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 7,139,556 to Marley in view of WO 01/28273 to Lammi et al and U.S. Publication 2002/0143961 to Siegel et al. Claims 3, 4, 13 and 14 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 7,139,556 to Marley in view of WO 01/28273 to Lammi et al, U.S. Publication 2002/0143961 to Siegel et al and further in view of U.S. Publication 2003/0115201 to Krishnamoorthy. Claims 9 and 15 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 7,139,556 to Marley in view of WO 01/28273 to Lammi et al, U.S. Publication 2002/0143961 to Siegel et al and U.S. Publication 2003/0016823 to Chung.

#### **B. PATENTABILITY OF THE CLAIMS**

All prior art rejections are respectfully traversed for at least the following reasons.

As previously emphasized, Applicant's independent claims are directed to protecting user data from being supplied to unauthorized service providers (*see*, for example, specification page 4, lines 4-11). In contrast, Morley<sup>1</sup> provides location dependent services, with the object of protecting the user's identity in a mobile network

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<sup>1</sup> Morley describes that a service request from a user to an application service provider "ASP" is intercepted by the network. The network then generates (step C) an encoded or encrypted "user tag" comprising identifications of the user and the ASP who needs to know the location of the user (*see*, e.g., Morley col. 3, lines 35-45). Morley also mentions (col. 4, lines 46-50) that the tag could be a random number associated with "the specific four components", which includes the user and ASP identifications. The Morley network then passes the user tag to the ASP (step D) without revealing the user's identity. The ASP can then obtain location information from the network referring to the received user tag (steps E,F).

from being revealed to any service providers. Morley does not check whether the ASP is authorized to receive the requested location information. Any ASP could thus send a user data request to the network, referring to the user tag, and receive user data regardless of whether that ASP is allowed to see that user data or not. Therefore, the Morley user has no control of what data is disclosed to whom.

Applicants have requested that the undersigned relay the following further observations:

- 1) The claimed feature of assigning an AUID code to a combination of the user and the service application when the user has not previously used the service application is not taught or suggested by the Marley/Lammi combination.
- 2) The claimed feature of allowing the service application to receive the requested user data if the AUID code was included in the request and if the service application is allowed according to the permission table cannot reasonably be derived from any properly combination of the applied documents.
- 3) What is alleged in Siegel to be a permission table exists in a different context than that of Applicants' independent claims. Moreover, none of the applied references are directed to the problem solved by Applicants (of protecting user data), but rather protecting the user's identity.

#### C. MISCELLANEOUS

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

HALLENSLEBEN, S.  
Serial No. 10/508,991

Atty Dkt: 2466-130  
Art Unit: 2617

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:                     /H. Warren Burnam, Jr./                    

H. Warren Burnam, Jr.  
Reg. No. 29,366

HWB:lsb  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100